

2 VINCENT JACOBO # 317117  
3 P.O. Box 67  
4 SAN BRUNO, CA. 94066  
5 PLAINTIFF

2015 FEB 26 P 3:29  
RICHARD H. WICKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
*[Signature]*

7 IN PRO PER

9 United States District Court  
10 Northern District of California

11  
12 VINCENT PRIMO JACOBO, ) CASE #  
13 PLAINTIFF, ) 14-cv-05185-JSC,  
14  
15 Vs. )  
16  
17 SAN FRANCISCO SHERIFF )  
18 DEPUTIES JONES, NEW )  
19 & GRAY, LT. MINOR )  
20 DEFENDANTS.)

21  
22 To the Honorable Judge Presiding,  
23 Plaintiff, VINCENT JACOBO, responds to the  
24 Courts ORDER to AMEND Plaintiff's First  
25 Civil Rights COMPLAINT.

26 Plaintiff contends that SHERIFFS  
27 DEPT. EMPLOYEES, Lt. MINOR, DEPUTIES NEW,  
28 JONES AND GRAY USED EXCESSIVE FORCE

1 IN COMPLETE DISREGARD TO PLAINTIFF'S RIGHTS  
 2 UNDER THE DUE PROCESS CLAUSE OF THE 14TH  
 3 AMENDMENT THAT PROTECTS PLAINTIFF FROM THE  
 4 USE OF FORCE THAT AMOUNTS TO PUNISHMENT.  
 5 THESE EMPLOYEES ALSO ACTED UNDER COMPLETE  
 6 DIS-REGARD TO PROCEDURES OR PROTOCOL WHEN  
 7 DEALING WITH MAX CUSTODY (MR3-MR4) IN-  
 8 MATES.

9 PLAINTIFF WAS IN COMPLETE COMPLIANCE  
 10 DURING THE ENTIRE INCIDENT,

11 ON MARCH 8<sup>TH</sup> AT APPROX. 8:00 AM IN THE  
 12 MORNING WHILE PILL CALL WAS BEING CONDUCTED  
 13 PLAINTIFF GOT INTO A VERBAL ~~ARGUE-~~ ARGUE-  
 14 MENT WITH DEPUTY GOODEN WHO PLAINTIFF  
 15 CALLED A "BITCH ASS SWITCH UP DEPUTY".  
 16 DEPUTY GOODEN TOLD PLAINTIFF "OKAY, I'LL BE  
 17 BACK". APPROX. 20-30 MINUTES LATER DEPUTY  
 18 GOODEN CAME BACK TO E-TANK WITH ABOUT  
 19 4 OR 5 DEPUTIES. PLAINTIFF WAS ORDERED  
 20 TO "CUFF-UP" TO WHICH PLAINTIFF COM-  
 21 PLIED. IT SHOULD BE NOTED THAT AT THE  
 22 TIME OF THIS INCIDENT PLAINTIFF'S CUSTODY  
 23 LEVEL WAS MR3, WHICH MEANS, WHEN EVER  
 24 PLAINTIFF IS MOVED HE IS TO BE IN FULL  
 25 RESTRAINT (BELLY CHAINS & LEG SHACKLES). NONE  
 26 OF THESE PROCEDURES WERE FOLLOWED WHEN  
 27 PLAINTIFF WAS ORDERED TO CUFF-UP. IMMEDIATELY  
 28 AFTER PLAINTIFF WAS CUFFED-UP HE

1 WAS TAKEN OUT OF THE CELL AND ALL DEPUTIES  
2 STARTED hitting PLAINTIFF, bending his  
3 ARMS, WRISTS, FINGERS, AND BACK TO EXTREME  
4 LEVELS until PLAINTIFF WAS SCREAMING  
5 in PAIN.

6 At the SAME TIME of this incident  
7 PLAINTIFF WAS REMOVED FROM E-TANK  
8 FOR NO APPARANT REASON AND WAS DRAGGED  
9 FROM E-TANK down the MAINLINE out to  
10 INTERVIEW Room 1 AT Post \*8.

11 PLAINTIFF SAT in this Room AFTER  
12 BEING BEATEN UP FOR APPROX. 30 MINUTES.  
13 THEN Lt. MINOR AND DEPUTIES JONES, NEU, &  
14 GRAY CAME into the Room AND AGAIN THE  
15 BEATING STARTED. PLAINTIFF WAS thrown ON  
16 the FLOOR FACE down AND HEAD BANGED  
17 ON the CONCRETE FLOOR, ARMS, WRIST, thumbs,  
18 ALL bent to the limit of EXTREME PAIN UN-  
19 til PLAINTIFF STARTED SCREAMING. All the  
20 while DEPUTY NEU SAT on PLAINTIFF's BACK.  
21 Crossed PLAINTIFF's LEGS AND bent them  
22 BACK until PLAINTIFF AGAIN SCREAMED in  
23 PAIN. Then Lt. MINOR YELLED DRAG him  
24 down the MAINLINE. I want the ENTIRE  
25 JAIL to SEE this. PLAINTIFF WAS DRAGGED  
26 down the MAINLINE by his EARS by DEPUTY  
27 JONES who PLACED himself directly in FRONT  
28 of PLAINTIFF and JAMMED his thumbs behind

1 Plaintiff ENDS AND AT THE SAME TIME WAS  
2 KICKING PLAINTIFF in the CHEST, PLAINTIFF  
3 EARS WERE twisted until they STARTED BLEED-  
4 ING. Just BEFORE PLAINTIFF WAS PUT BACK IN  
5 F-TANK DEPUTY NEIL JUMPED UP IN THE  
6 AIR AND CAME DOWN WITH HIS ELBOW  
7 ON PLAINTIFF's BACK. IT SHOULD BE NOTED  
8 THAT PLAINTIFF HAS A DOCUMENTED BAD BACK  
9 THAT IS BEING SEEN BY MEDICAL AT THIS  
10 TIME.

11 IT SHOULD ALSO BE NOTED THAT THERE  
12 WAS ABSOLUTELY NO REASON THAT PLAINTIFF  
13 WAS TAKEN OUT OF F-TANK AT THE TIME OF  
14 THIS INCIDENT. PROCEDURES WERE NOT FOLLOWED  
15 AT ALL DURING THIS ENTIRE INCIDENT AND MOVEMENT.  
16 ALL AD-SEG AND MAX CUSTODY INMATES ARE TO BE MOVED DOWN  
17 A-BLOCK COMING FROM THE BACK BLOCK. NO  
18 MAX INMATES SHOULD BE MOVED DIRECTLY  
19 DOWN THE MAINLINE.

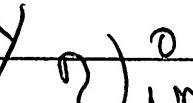
20 PLAINTIFF WAS TAKEN OUT OF F-TANK  
21 AND DRAGGED TO INTERVIEW ROOM 1 AND  
22 BACK TO F-TANK FOR THE SOLE PURPOSE  
23 OF JUST ASSAULTING PLAINTIFF. THE ENTIRE  
24 INCIDENT SPEAKS FOR ITSELF. THE ONLY  
25 RWE VIOLATION REPORT PLAINTIFF RECEIVED  
26 WAS FOR DISRESPECTING A STAFF MEMBER.  
27 PLAINTIFF WAS NOT EXTRACTED FROM HIS

1 Plaintiff was in complete compliance  
2 throughout the entire incident.

3 In addition on 6-24-14 Plaintiff  
4 was ordered to move out of  
5 E-Tank to be placed on D-Block (Ad-  
6 Seg) and be cell mates with inmate  
7 Bing Luc. At the time we were  
8 being ordered, Plaintiff and inmate  
9 Luc were in an argument. Deputy  
10 Oliver left E-Tank. Approx. 20 minutes  
11 later Deputy Oliver returned and informed  
12 Plaintiff that he didn't have to move  
13 with inmate Luc but he still had to  
14 move with another inmate. Plaintiff  
15 refused. Sgt. Kessler then ordered  
16 Plaintiff to be placed into the safety  
17 cell. Under the San Francisco Sheriff's  
18 Dept. own policy and in accordance  
19 with the Title 15. The safety cells are  
20 not to be used for punishment purposes  
21 which is exactly what happen in this mat-  
22 ter. Plaintiff was placed in the safety  
23 cell simply because he refused to  
24 move.

25 Respectfully submitted,

26  
27  
28 DATE: 2-11-15

by   
Vincent Jacobo

(5)

Plaintiff,  
Vincent JACOBO